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SUPERIOR COURT OF THE STATE OF CALIFORNIA Filing Window

FOR THE COUNTY OF LOS ANGELES

CENTRAL DISTRICT

OMAR RODRIGUEZ; CINDY GUILLEN-
GOMEZ; STEVE KARAGIOSIAN; ELFEGO
RODRIGUEZ; AND JAMAL CHILDS,

Plaintiffs,

v.

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK; AND DOES 1 THROUGH
100, INCLUSIVE,

Defendants.

CASE NO. BC 414602

*Assigned To The Honorable Joanne
O'Donnell; LASC Department 37*

**[DEFENDANT'S PROPOSED]
JUDGMENT AFTER JURY TRIAL**

File Date: May 28, 2009

Trial Date: Mar. 19, 2012 (Pltf Karagiosian)

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK,,

Complainants,

v.

OMAR RODRIGUEZ, an Individual, ,

Defendant.

1 This action came on regularly for trial on March 19, 2012, in Department 37 of the above-
2 entitled Court, the Honorable Joanne O'Donnell presiding, as to the claims brought by Plaintiff
3 Steve Karagiosian against Defendant City of Burbank. Plaintiff Steve Karagiosian appeared by
4 attorney Solomon Gresen of Law Offices Of Rheuban & Gresen. Defendant City of Burbank
5 appeared by attorneys Linda Miller Savitt of Ballard Rosenberg Golper & Savitt, and Lawrence A.
6 Michaels of Mitchell Silberberg & Knupp.

7 A jury of twelve (12) persons was regularly impaneled and sworn and agreed to try the
8 cause. Witnesses were sworn and testified. After hearing the evidence and arguments of counsel,
9 the jury was instructed by the Court and the cause was submitted to the jury with directions to
10 return a special verdict. The jury deliberated and thereafter returned to court with its special
11 verdict on April 5, 2012, which verdict was in words and figures as follows:

12 We, the jury in the above-entitled action, find the following special verdict on the issues
13 submitted to us as to the claims brought by Plaintiff STEVE KARAGIOSIAN against Defendant
14 CITY OF BURBANK:
15

- 16 1. Was Mr. Karagiosian subjected to unwanted harassing conduct because he is
17 Armenian on or after May 27,2008?

18 ☒ _X_ Yes ☐ ___ No

19 If your answer to question 1 is yes, then answer question 2. If you answered no,
20 stop here, answer no further questions, and have the presiding juror sign and date
21 this form.

- 22 2. Was Mr. Karagiosian also subjected to unwanted harassing conduct because he is
23 Armenian before May 27,2008, which conduct was all of the following: (a) similar
24 in kind to the conduct occurring on or after May 27,2008; (b) occurred with
25 reasonable frequency; and (c) had not become permanent?

26 ☒ _X_ Yes ☐ ___ No

27 Answer question 3.

- 28 3. Was any of the harassing conduct which you found to exist in response to questions
1 or 2 committed by a supervisor?

☐ ___ Yes ☒ _X_ No

1
2 Answer question 4.

- 3 4. Was any of the harassing conduct which you found to exist in response to questions
4 1 or 2 committed by a non-supervisor, and: (a) Burbank, its supervisors, or its
5 agents knew or should have known of such conduct; and (b) Burbank, its
6 supervisors, or its agents failed to take immediate and appropriate corrective
7 action?

8 ☒ Yes ☐ No

9 If your answers to questions 3 or 4 is yes, then answer question 5. If your answers
10 to both questions 3 and 4 are no, stop here, answer no further questions, and have
11 the presiding juror sign and date this form.

- 12 5. Was the harassing conduct which you found to exist in response to questions 3 and
13 4 severe or pervasive?

14 ☒ Yes ☐ No

15 If your answer to question 5 is yes, then answer question 6. If you answer no, stop
16 here, answer no further questions, and have the presiding juror sign and date this
17 form.

- 18 6. Would a reasonable person in Mr. Karagiosian's circumstances have considered the
19 work environment to be hostile or abusive?

20 ☒ Yes ☐ No

21 If your answer to question 6 is yes, then answer question 7. If you answered no,
22 stop here, answer no further questions, and have the presiding juror sign and date
23 this form.

- 24 7. Did Mr. Karagiosian consider the work environment to be hostile or abusive?

25 ☒ Yes ☐ No

26 If your answer to question 7 is yes, then answer question 8. If you answered no,
27 stop here, answer no further questions, and have the presiding juror sign and date
28 this form.

8. Was the harassing conduct a substantial factor in causing harm to Mr. Karagiosian?

☒ Yes ☐ No

1 If your answer to question 8 is yes, then answer question 9. If you answered no,
2 stop here, answer no further questions, and have the presiding juror sign and date
3 this form.

- 4 9. Did Mr. Karagiosian prove that Burbank failed to take reasonable steps to prevent
5 harassment from occurring?

6 Yes X No

7 Answer question 10.

- 8 10. What are Mr. Karagiosian's damages?

9 \$225,000

- 10 11. Did Burbank prove Mr. Karagiosian could have avoided some or all of his damages
11 if he had used Burbank's harassment complaint procedures?

12 X Yes No

13 If your answer to question 11 is yes, then answer question 12. If you answered no,
14 stop here, answer no further questions, and have the presiding juror sign and date
15 this form.

- 16 12. What amount of damages could Mr. Karagiosian have avoided if he had used
17 Burbank's harassment complaint procedures?

18 \$75,000

19 If you find in favor of Mr. Karagiosian regarding his harassment claim, complete
20 the Special Interrogatories form.

21 Please sign and date this form.

22 Signed: /s/ Dated: April 5, 2012

23 Presiding Juror

24 **[NOTE: Answer the following special interrogatories only if you find in favor of
25 Plaintiff Steve Karagiosian on his harassment claim.]**

26 We, the jury in the above-entitled action, find the following special interrogatories on the
27 issues submitted to us as to the claims brought by Plaintiff STEVE KARAGIOSIAN against
28 Defendant CITY OF BURBANK:

1 1. Did the conduct on which you based your findings occur within a year of the date
2 on which Mr. Karagiosian filed his DFEH charge (i.e., on or after May 27, 2008)?

3 ☒ Yes ☐ No

4 Answer Question 2.

5 2. Was the conduct on which you based your findings on or after May 27, 2008,
6 reasonably frequent?

7 ☐ Yes ☒ No

8 Answer Question 3.

9
10 3. Was the conduct on which you based your findings on or after May 27, 2008,
11 severe or pervasive?

12 ☐ Yes ☒ No

13 Please sign and date this form.

14 Signed: _____/s/_____ Dated: April 5, 2012

15 Presiding Juror

16
17 Prior to the trial, on December 2, 2010, at 9:00 a.m., Defendant City of Burbank's Motion
18 for Summary Adjudication of Issues Against Plaintiff Steve Karagiosian, came on regularly for
19 hearing in Department 37 of the above-entitled Court, the Honorable Joanne O'Donnell presiding.
20 Solomon Gresen of Law Offices of Rheuban & Gresen appeared for Plaintiff Steve Karagiosian.
21 Christine T. Hoeffner of Ballard Rosenberg Golper & Savitt appeared for Defendant City of
22 Burbank.

23 After considering the papers filed in support of and against the Motion and hearing
24 argument of counsel, the Court granted summary adjudication on the following causes of action:

25 (1) In favor of Burbank and against Karagiosian on the first cause of action in
26 Karagiosian's First Amended Complaint for discrimination under the Fair Employment and
27 Housing Act.

1 (2) In favor of Burbank and against Karagiosian on the third cause of action in
2 Karagiosian's First Amended Complaint for retaliation under the Fair Employment and Housing
3 Act.

4 (3) In favor of Burbank and against Karagiosian on the sixth cause of action in
5 Karagiosian's First Amended Complaint for violations of the Police Officers Bill of Rights Act.

6
7 It appearing by reason of said special verdict and summary adjudication that Plaintiff Steve
8 Karagiosian is entitled to judgment against Defendant City of Burbank as to the second cause of
9 action in Plaintiff Steve Karagiosian's First Amended Complaint for harassment under the Fair
10 Employment and Housing Act.

11
12 **NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that said
13 Plaintiff Steve Karagiosian shall recover damages in the sum of \$150,000.00 from Defendant City
14 of Burbank, as well as attorneys fees in the amount of \$ _____ and costs in the amount of
15 \$ _____.

16
17 Date: _____

18 The Honorable Joanne O'Donnell

19
20 DATED: April 23, 2012

21 Respectfully submitted,

22 MITCHELL SILBERBERG & KNUPP LLP
23 LAWRENCE A. MICHAELS
24 VERONICA T. VON GRABOW

25 By: 

26 Lawrence A. Michaels
27 Veronica T. von Grabow
28 Attorneys for Burbank Police Department, City
of Burbank

PROOF OF SERVICE

42729-00001

Rodriguez, et al. vs. Burbank Police Department, et al. — LASC Case No. BC414602

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Mitchell Silberberg & Knupp LLP, 11377 West Olympic Boulevard, Los Angeles, California 90064-1683.

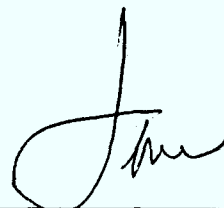
On April 23, 2012, I served a copy of the foregoing document(s) described as:
[DEFENDANT'S PROPOSED] JUDGMENT AFTER JURY TRIAL on the interested parties in this action at their last known address as set forth below by taking the action described below:

Solomon E. Gresen, Esq., seg@rglawyers.com
Steven V. Rheuban, Esq., svr@rglawyers.com
Law Offices of Rheuban & Gresen
15910 Ventura Boulevard, Suite 1610
Encino, CA 91436
T: (818) 815-2727
F: (818) 815-2737
Attorneys for Plaintiffs Omar Rodriguez, Cindy Guillen-Gomez, Steve Karagiosian, Elfego Rodriguez, and Jamal Childs

☒ **BY PERSONAL DELIVERY:** I placed the above-mentioned document(s) in sealed envelope(s), and caused personal delivery by **FIRST LEGAL SUPPORT SERVICES** of the document(s) listed above to the person(s) at the address(es) set forth above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 23, 2012, at Los Angeles, California.



Isabel G. Moreno

PROOF OF SERVICE

42729-00001

Rodriguez, et al. vs. Burbank Police Department, et al. — LASC Case No. BC414602

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California.

I am over the age of 18, and not a party to the within action; my business address is **FIRST LEGAL SUPPORT SERVICES**, 1511 West Beverly Boulevard, Los Angeles, CA 90026.

On April 23, 2012, I served a copy of the foregoing document(s) described as:
[DEFENDANT'S PROPOSED] JUDGMENT AFTER JURY TRIAL which was enclosed in sealed envelopes addressed as follows, and taking the action described below:

Solomon E. Gresen, Esq., seg@rglawyers.com
Steven V. Rheuban, Esq., svr@rglawyers.com
Law Offices of Rheuban & Gresen
15910 Ventura Boulevard, Suite 1610
Encino, CA 91436
T: (818) 815-2727
F: (818) 815-2737
Attorneys for Plaintiffs Omar Rodriguez, Cindy Guillen-Gomez, Steve Karagiosian, Elfego Rodriguez, and Jamal Childs

☒ **BY PERSONAL SERVICE:** I hand delivered such envelope(s):

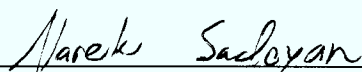
☐ to the addressee(s);

☒ to the receptionist/clerk/secretary in the office(s) of the addressee(s).


☐ by leaving the envelope in a conspicuous place at the office of the addressee(s) between the hours of 9:00 a.m. and 5:00 p.m.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 23, 2012, at Los Angeles, California.



Printed Name


Signature